

COUNTY OF HAWAII

The County of Hawaii consists of the island of Hawaii and all other islands within three nautical miles of its shores, and the adjacent waters thereto. The County is a corporate body with all powers authorized by the State Constitution, the laws of the State of Hawaii, and the Hawaii County Charter.

LEGISLATIVE BRANCH

County Council

The legislative branch of the County is the nine-member Hawaii County Council. All Councilmembers are elected from single-member districts for two-year terms. Each member must qualify under the Charter's district residency requirement and as such, must reside in the council district he or she represents.

The Council's primary responsibilities are formulating public policy, setting goals, and providing legislative directions for implementation by the Mayor and the executive administration. In this process, through the adoption of laws, it enacts and amends the general plan which provides policy guidelines for the long-range comprehensive physical development of the County, adopts the annual operating and capital budgets, and sets the real property tax rate.

County Council Employees

The County Clerk and the Deputy County Clerk are appointed by the Council. The Clerk serves as the custodian of the county seal, is the repository of all public records, and provides clerical and stenographic services to the Council and its committees. The Clerk is also the Chief Elections Officer of the County. With approval of the Council, the Clerk appoints the Legislative Auditor and other necessary staff members and performs other functions prescribed by the Council.

EXECUTIVE BRANCH

The Executive Branch of the County of Hawaii is comprised of the Office of the Mayor and all other executive departments and agencies of the County created by the Charter or ordinance. Executive departments are under the general administrative supervision of the Mayor or supervision of the Managing Director or commissions. The Prosecuting Attorney, an elected officer, is within the Executive Branch.

Mayor

The chief executive officer of the County is the Mayor who is vested with and exercises the executive powers of the County, except as otherwise provided by the Charter. In this regard, the Mayor is responsible for enforcing the provisions of and executing the duties conferred by the Charter, ordinances, and other applicable laws. These responsibilities include:

- (1) Direct supervision of departments and agencies when specified by the Charter;
- (2) Supervision and coordination, through the Managing Director, of all other departments and agencies;
- (3) Administration of personnel through appointment, transfer, and creation and abolishment of positions, and recommendation of a pay plan to the Council for personnel whose compensation is not otherwise provided;
- (4) Annual submission of the operating budget and the capital budget and program;
- (5) Making periodic as well as annual reports informing the public of county policies, programs, and operations; and
- (6) Approving or vetoing bills for ordinances.

The Mayor is elected for a term of four years. The Mayor may serve for more than two terms, but not for more than two full terms consecutively.

MANAGING DIRECTOR

The Mayor appoints and may remove the Managing Director who is within the Office of Management and serves as the Mayor's principal management aide. Generally, the Managing Director performs all duties required by the Charter, or assigned by the Mayor. One of these duties requires the Managing Director to supervise the administrative functioning of all county departments and agencies. In addition, the Managing Director advises the Mayor concerning the operation of, investigates and studies the internal organization and procedures of, and prescribes standards of administrative practices for, departments and agencies under the Managing Director's supervision. The Managing Director also attends meetings of the Council and other bodies upon the request of the Mayor or the Council.

Agencies Directly Under the Managing Director

Office of the Corporation Counsel

The Office of the Corporation Counsel consists of the Corporation Counsel, Assistant Corporation Counsel, and necessary staff. The Corporation Counsel is appointed by the Mayor

and confirmed by the Council, and may be removed by the Mayor with the approval of the Council, and must be an attorney licensed to practice law and in good standing before the Hawaii Supreme Court. Similarly, the Assistant Corporation Counsel must have those qualifications, but is appointed and may be removed by the Corporation Counsel.

The Corporation Counsel is the chief legal advisor and legal representative of all agencies, the Council, and all other officers and employees in matters relating to their official powers and duties. The Corporation Counsel also represents the County in all legal proceedings and performs all other services incident to the office as may be required by law, the Charter, or ordinance.

Board of Ethics. The Charter requires the Council to adopt by ordinance a Code of Ethics. The Board of Ethics interprets the Code for both county officials and the public. The Board also receives and initiates complaints, and investigates and holds hearings on alleged violations of the Code.

The five members of the Board of Ethics are residents of the County and are appointed by the Mayor with the approval of the Council to five-year terms.

Department of Finance

The Department of Finance is headed by a Director of Finance who is appointed by the Mayor, confirmed by the Council and may be removed by the Mayor, and serves as the finance officer of the County. As the finance officer, the Director handles the County's financial administration, real property tax assessment and collection, accounts, and other revenue collections, obligation loan negotiations, bond sales, payroll, and purchasing when not in conflict with the Charter. The Director also assists the Mayor in the preparation and execution of the operating budget and program and capital improvement budget and program and issues monthly statements of revenues and expenditures. In addition, the Director maintains an inventory of land and equipment controlled by the County. The Director also performs the duties and functions of the treasurer and auditor of the County which are provided by law, except when in conflict with the Charter. The Director also exercises other powers and performs other duties as may be prescribed by the Charter, ordinance, or law, or by the Mayor.

Pension Board. The Pension Board is attached to the Department of Finance and manages and governs the police officers', fire fighters', and band members' pensions system and the county pension system for employees ineligible under the State Employees' Retirement System.

The Pension Board consists of five members appointed by the Mayor and confirmed by the Council. The County Clerk and the Director of Finance are ex officio members serving as the secretary and treasurer, respectively.

Tax Board of Review. The Tax Board of Review hears all disputes between the Director and any taxpayer in all cases in which appeals have been duly taken, and the fact that a notice of

appeal has been duly filed by a taxpayer shall be conclusive evidence of the existence of a dispute.

The Board consists of five members appointed by the Mayor with the approval of the Council for terms of five years.

Planning Department

The Planning Department consists of the Planning Director, Planning Commission, and necessary staff.

Planning Director. The Planning Director is the administrative head of the Planning Department and, consequently, serves as the chief planning officer of the County and technical advisor to the Mayor and Council on planning and related matters. The Planning Director prepares a proposed general plan to guide the development of the County which is submitted to the Council. The Planning Director prepares proposed zoning and subdivision ordinances and regulations and, in this regard, approves proposed subdivision plans if in conformity with subdivision ordinances and rules. The Planning Director reviews and prioritizes contemplated capital improvements of the County.

The Planning Director is appointed by the Mayor and confirmed by the Council, and may be removed by the Mayor.

Planning Commission. The Planning Commission reviews and makes recommendations relating to the county general plan, zoning ordinances, subdivision ordinances, and planning programs. The Planning Commission hears and decides special exemptions from the permitted uses for each district pursuant to the zoning ordinance upon which the Commission is required to pass, and hears, decides, and holds public hearings on requests for variances and special exceptions to zoning and subdivision ordinances. The Planning Commission adopts rules having the force and effect of law pursuant to subdivision and zoning ordinances.

The Commission consists of nine members appointed by the Mayor with the approval of the Council for terms of five years. Membership is representative of the nine council districts. In addition, the Director of Public Works and the Manager of the Department of Water Supply serve as ex officio nonvoting members.

Board of Appeals. The Board of Appeals consists of five members who are appointed by the Mayor with the approval of the Council for terms of five years. The Board hears and decides appeals from the actions of the Planning Director in the administration of subdivision and zoning ordinances and rules. In performing this function, an appeal is sustained only if the Board finds that the action of the Director was based on an erroneous finding of material fact, or that the Director or Planning Commission acted in an arbitrary or capricious manner or manifestly abused their discretion.

Department of Research and Development

The Department of Research and Development consists of the Director of Research and Development and necessary staff. The Director is appointed by the Mayor, confirmed by the Council, and may be removed by the Mayor. The Director provides the data necessary for managerial and legislative programs, policy-making and decision-making; provides leadership and guidance on public or private development programs which enhance improvement of the county community, and coordinates informational and regulatory knowledge of all federal and state grant-in-aid programs which affect the County.

Department of Public Works

The Department of Public Works is responsible for all matters relating to engineering; public and private building construction and inspection; construction, inspection and maintenance of public streets, highways, bridges and drainage facilities; acquisition of public and private properties for public purposes; design, operation and maintenance of traffic signals and traffic control devices; and all other public works projects, except for matters relating to parks and recreation, environmental management, and water supply. The Department is also a key support agency for Civil Defense emergencies.

The Department of Public Works consists of a Director who must be a registered professional engineer, and necessary staff. The Director is appointed by the Mayor and confirmed by the Council, and may be removed by the Mayor.

The Director is responsible for the construction, maintenance, and operation of county buildings and grounds except for those delegated to other departments; administration and enforcement of the Building Code, Electrical Code, Housing Code, Plumbing Code, and other relevant ordinances; and for the administration of personnel.

Department of Parks and Recreation

The Department of Parks and Recreation administers, supervises, and maintains all public parks, recreational facilities, playgrounds, and appurtenant equipment and supplies owned, possessed, or controlled by the County. The Department is also authorized to care for the recreational needs of and provide organized, supervised games and recreation for the people of the County.

A Parks and Recreation Director, who is appointed by the Mayor, confirmed by the Council, and may be removed by the Mayor, heads the Department.

County Bands. For administrative purposes, the county bands are within the Department of Parks and Recreation. Bandmasters are appointed and may be removed by the Mayor.

Data Systems Department

The Data Systems Department consists of a Director of Data Systems and necessary staff. The Director is appointed by the Mayor and confirmed by the Council.

The Data Systems Department operates the County's central data processing system and coordinates and oversees the operations of departmental data processing systems, except for the Department of Water Supply. The Department provides technical expertise and assistance in the development of management information for all county departments.

Department of Environmental Management

The Department of Environmental Management consists of a Director and necessary staff, and an Environmental Management Commission.

Environmental Management Director. The Environmental Management Director is the administrative head of the Department of Environmental Management and manages the solid waste, wastewater, and recycling programs of the County.

The Environmental Management Director is appointed by the Mayor and confirmed by the Council, and may be removed by the Mayor.

Environmental Management Commission. The Environmental Management Commission shall advise the Department on waste reduction strategies, recycling, litter control, community involvement, and other issues related to the functions of the Department.

The Commission consists of nine members appointed by the Mayor, and confirmed by the Council. Membership is representative of the nine council districts. The terms of the members are staggered terms of five years as prescribed by section 13-4 of the County Charter.

Mass Transit Agency

The Mass Transit Agency provides affordable and cost-effective transportation services for the County. These services include bus service, shared-ride taxi service, and ride-matching services. The Agency is headed by the Transit Operations Administrator who is appointed by the Mayor and may be removed by the Mayor.

Transportation Commission. The Transportation Commission has general supervision over carriers, including taxicabs, and performs the duties and exercises the powers imposed or conferred upon it by Division 3 of Articles 1 and 2 of Chapter 18 of the Hawaii County Code. The Commission also serves as an advisory body to the Mass Transit Agency and advises the Mayor and Council on other transportation-related matters upon request.

The Commission consists of nine members appointed by the Mayor with the approval of the Council for terms of five years. Membership is representative of the nine council districts.

Civil Defense Agency

The Civil Defense Agency is the emergency management agency for the County. Its responsibilities are to direct and coordinate the development and administration of the County's total disaster preparedness and response program and to ensure prompt and effective action when natural or man-caused disaster threatens or occurs anywhere in the County; and in emergencies, to direct and coordinate warning-evacuation of affected areas and other disaster response operations to protect life and property, and to maintain or restore essential services and facilities, and to coordinate requests from individuals and agencies for operational assistance and recovery operations. The Agency maintains liaison and cooperates with the State to ensure that the County's plans and programs with respect to disasters and emergencies are fully integrated with those of the state and federal governments.

Office of Aging

Act 198, Session Laws of Hawaii 1963, created the State Commission on Aging and corresponding County Committees on Aging to advise and assist all levels of government in the formulation and development of programs to meet the specific needs and requirements of older adults. The Hawaii County Committee on Aging was established in 1966. In 1975, the Committee became the Hawaii County Office of Aging and received federal designation as an Area Agency on Aging enabling the County to receive federal funds through the Older Americans Act of 1965. The administrative head is the County Executive on Aging.

Office of Housing and Community Development

The Office of Housing and Community Development is responsible for the planning, administration, and operation of all the County's housing programs. Its overall goal is to provide for the development of viable communities in the County by providing decent housing, suitable living environments, and expanding economic opportunities.

Departments Administered by Board or Commission

Department of Civil Service

The Department of Civil Service is the central personnel agency for the County and is under the general supervision and control of the Mayor. It consists of the Civil Service Commission, the Director of Civil Service, and necessary staff.

Civil Service Commission. The Civil Service Commission consists of five members appointed to terms of five years by the Mayor with the approval of the Council. Members are representative of the community and must be in sympathy with and believe in the principles of the merit system in public employment.

Director of Civil Service. The Director of Civil Service, who is appointed and may be removed by the Civil Service Commission, serves as the administrative head of the Department and is responsible for the personnel management program of the County with two distinct categories of duties:

- (1) Major duties in the areas of equal employment opportunities and personnel development, deployment, relations, and welfare.
- (2) Secondary duties in the administration of the civil service system and maintenance of the aims and mechanics prescribed by law.

Salary Commission. The salaries of all county elected officials and appointed directors and deputy directors of departments and executive agencies are established by the Salary Commission. The Commission is made up of nine members appointed by the Mayor with the approval of the Council. Membership is representative of the nine council districts. The Civil Service Director and Deputy Civil Service Director serve as ex officio members in an advisory capacity.

Division of Industrial Safety. The Division of Industrial Safety has as its primary goal the development and implementation of a safe and healthy work environment for all County employees. The Division administers all phases of safety, equipment, driver training, and workers' compensation programs. The Division is headed by the Safety Coordinator who is appointed and may be removed by the Mayor.

Fire Department

The Fire Department consists of a Fire Chief, a Deputy Fire Chief, a Fire Commission, and necessary staff.

Fire Commission. The Fire Commission consists of nine members, one from each of the nine county council districts, appointed by the Mayor with the approval of the Council. The Commission's duties include adopting rules necessary for administering matters within its jurisdiction and reviewing rules of the Department; reviewing the annual budget prepared by the Fire Chief; evaluating the performance of the Fire Chief; reviewing personnel actions within the Department; and hearing complaints of citizens concerning the Department or its personnel.

Fire Chief. The Fire Chief, who is appointed and may be removed by the Fire Commission, serves as the administrative head of the Fire Department.

Department of Liquor Control

The Department of Liquor Control consists of the Liquor Commission, Liquor Control Adjudication Board, Director of the Department, and necessary staff.

Liquor Commission. The Liquor Commission consists of nine members appointed by the Mayor with the approval of the Council to terms of five years. Membership is representative of the nine council districts.

The Liquor Commission adopts rules for the administration of liquor control in the County and carries out provisions of the liquor control laws of the State; grants, renews, or refuses applications for licenses to manufacture, import, or sell liquor in the County; and exercises such other powers and duties as provided by law.

Liquor Control Adjudication Board. The Liquor Control Adjudication Board consists of five members appointed by the Mayor with the approval of the Council to terms of five years. The Board hears and determines complaints regarding violations of the liquor control laws of the State and rules of the Liquor Commission. The Board is also empowered to impose fines or penalties as provided by law.

Director of the Department of Liquor Control. The Director of the Department of Liquor Control, who is appointed and may be removed by the Liquor Commission, serves as the administrative head of the Department. Generally, the Director provides clerical and administrative services to the Liquor Commission and the Liquor Control Adjudication Board and investigates alleged violations of liquor control laws and rules.

Police Department

The Police Department consists of a Police Commission, Chief of Police, a Deputy Chief of Police, and necessary staff.

Police Commission. The Police Commission consists of nine members, one from each of the nine county council districts, appointed by the Mayor with the approval of the Council. The Commission's duties include: adopting rules necessary for administering matters within its jurisdiction and reviewing rules of the Department; reviewing the annual budget prepared by the Chief of Police; receiving, considering, and investigating charges brought by the public against the conduct of the Department or any of its members; and advising the Chief of Police on police-community relations.

Chief of Police. The Chief of Police, who is appointed and may be removed by the Police Commission, serves as the administrative head of the Police Department.

Department of Water Supply

The Department of Water Supply is a semi-autonomous agency consisting of a Water Commission, Manager, and necessary staff. It is under the general supervision and control of the Mayor.

Water Commission. The Water Commission consists of nine members appointed by the Mayor with the approval of the Council for terms of five years. Membership is representative of the nine council districts. The Manager of the Department of Water Supply, Planning Director, and Chief Engineer, or their designated representatives, serve as ex officio nonvoting members.

To the extent not subject to the control of the State Commission on Water Resource Management, the Water Commission manages, controls, and operates the waterworks of the County, adopts rules necessary for the performance of these functions, adopts an annual operating and capital budget, and exercises such other powers and duties as provided by law. The Water Commission is empowered to acquire and dispose of real property and issue revenue bonds.

Manager of the Department of Water Supply. The Water Commission appoints and may remove the Manager of the Department of Water Supply. The Manager serves as the administrative head of the Department and must be a registered engineer.

PROSECUTING ATTORNEY

The Prosecuting Attorney is elected to a term of four years. The Prosecuting Attorney must be an attorney licensed to practice law and in good standing before the Hawaii Supreme Court, a citizen of the United States, and a duly qualified elector of the County for at least one year immediately preceding election.

The Prosecuting Attorney attends all courts in the county and prosecutes offenses against state law and county ordinances and regulations on behalf of the people; prosecutes offenses against state laws under authority of the Attorney General; appears in and prosecutes every criminal case where there is a change of venue and the case is removed from the County; institutes proceedings for the arrest of persons charged with or suspected of public offenses; takes charge of criminal cases before the Family, District, Circuit, and Appellate Courts; draws indictments for, attends, and presents cases for the grand jury's consideration; and investigates all matters that properly come before the Prosecutor's office. The Prosecutor provides victim services, extradition, and missing children entries into the National Crime Information Center system and various initiatives to improve the criminal justice system.

